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August 27, 1999

Dale Hardy Roberts  
Executive Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

FILED<sup>2</sup>

AUG 30 1999

Missouri Public  
Service Commission

Re: McDonald County Long Distance Company  
- Case No. ~~TD~~-2000-135  
TA

Dear Mr. Roberts:

At the request of Staff, enclosed for substitution regarding the above referenced tariff filing, please find three copies of the following revised tariff sheets:

PSC Mo. No. 1 Original Sheet 1  
PSC Mo. No. 1 Original Sheet 2  
PSC Mo. No. 1 Original Sheet 8  
PSC Mo. No. 1 Original Sheet 14  
PSC Mo. No. 1 Original Sheet 22  
PSC Mo. No. 1 Original Sheet 24  
PSC Mo. No. 1 Original Sheet 25

PSC Mo. No. 1 Original Sheet 29  
PSC Mo. No. 1 Original Sheet 31  
PSC Mo. No. 1 Original Sheet 33  
PSC Mo. No. 1 Original Sheet 35  
PSC Mo. No. 1 Original Sheet 36  
PSC Mo. No. 1 Original Sheet 37

If you have any questions regarding this request, please contact me at (573) 635-7166.  
Thank you for your attention to this matter.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By: *Sondra B. Morgan*  
Sondra B. Morgan

SBM/k  
Enclosures  
cc: Office of Public Counsel  
Mr. Aaron Gent

0000120

**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**REGULATIONS AND SCHEDULE OF CHARGES  
APPLICABLE TO INTRASTATE LONG DISTANCE MESSAGE  
TELECOMMUNICATIONS SERVICE FURNISHED BY**

**MCDONALD COUNTY LONG DISTANCE COMPANY**

**BETWEEN POINTS WITHIN THE STATE OF MISSOURI, AS SPECIFIED HEREIN.  
SERVICE IS PROVIDED BY MEANS OF WIRE, RADIO, TERRESTRIAL OR  
SATELLITE FACILITIES OR ANY COMBINATION THEREOF,  
AS SPECIFIED HEREIN.**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by McDonald County Long Distance Company, within the State of Missouri. This tariff is on file with the Missouri Public Service Commission and copies may be inspected during normal business hours, at the Company's principal place of business.

McDonald County Long Distance Company operates as a competitive telecommunications company as defined by Case No. TA-2000-135 within the State of Missouri.

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Issued: August 11, 1999

Effective: September 27 1999

Issued by: D. Aaron Gent, President  
McDonald County Long Distance Company  
P.O. Box 207  
Pineville, MO 64856

5

**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**WAIVER OF RULES AND REGULATIONS**

Pursuant to Case No. TA-2000-135, the following statutes and rules have been waived for purposes of offering telecommunications services as set forth herein:

**STATUTES**

Section 392.240(1)	Rates-reasonable average return on investment.
Section 392.270	Property valuation.
Section 392.280	Depreciation rates.
Section 392.290	Issuance of stocks and bonds.
Section 392.310	Issuance of stocks and bonds.
Section 392.320	Issuance of stocks and bonds.
Section 392.330	Issuance of stocks and bonds.
Section 392.340	Reorganization.

**COMMISSION RULES**

4 CSR 240-10.020	Income on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates at central offices.
4 CSR 240-32.030(1)(B)	Exchange boundary maps.
4 CSR 240-32.030(1)(C)	Record of access lines.
4 CSR 240-32.030(2)	Records kept within state.
4 CSR 240-30.040	Uniform System of Accounts.
4 CSR 240-32.050(3-6)	Telephone directories.
4 CSR 240-32.070(4)	Coin directories.
4 CSR 240-33.030	Inform customers of lowest priced service.
4 CSR 240-33.040(5)	Finance fee.

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**2. DEFINITIONS (continued)**

Cancellation of Order: A Customer-initiated request to discontinue processing a service order, either in part or in entirety, prior to its completion.

Commission: The Missouri Public Service Commission.

Company: The term "Company" denotes McDonald County Long Distance Company

Customer: The term "customer" denotes the person who or the firm or corporation that orders, cancels or amends Service, is responsible for the payment of charges, and is responsible for compliance with the Company's regulations and this tariff.

Customer Dialed Calling Card Call: A Calling Card Call which does not require the intervention of an operator.

Customer-Provided Equipment: Denotes all equipment and facilities provided by the Customer and/or Authorized User, other than those provided by the Company.

Dedicated Access Line or Service: The generic term for a service in which the Customer's traffic passes over an access line connecting the Customer's premises to a Company switch, the line which is used solely for that Customer's traffic.

Direct Dial Call: A call for which charges are billed to the originating telephone number.

Disconnection: The disconnection of a circuit, dedicated access line or port connection being used for existing service.

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3. REGULATIONS (continued)

3.1.3 Liability of the Company (continued)

J. In the event parties other than the Customer (e.g., Customer's authorized users) shall have use of the Service directly or indirectly through the Customer, then Customer agrees to forever indemnify and hold the Company harmless from and against any and all claims, demands, suits, actions, losses, damages, assessments or payments which may be asserted by said parties arising out of or relating to any defects. The Company shall have no liability to any person or entity other than its Customer.

3.1.4 Claims

A. The Company shall be indemnified and saved harmless by the Customer from and against all loss, liability, damage and expense, including reasonable counsel fees, due to claims for libel, slander, or infringement of copyright, trademark, trade name or patent resulting from use of the Company's Service; and any other claim resulting from act or omission of the Customer or Customer's authorized user relating to the use of the Company's Service.

B. The Company shall not be liable for use, misuse, or abuse of a Customer's Service by third parties, including, without limitation, the Customer's employees, guests or members of the public who dial the Customer's telephone number in error. Compensation for any injury the Customer may suffer due to the fault of others must be sought from such other parties.

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3. REGULATIONS (continued)

3.5 Obligations of the Customer (continued)

liability relating to Services provided pursuant to this agreement, including payment to the Company associated with reasonable attorney's fees.

3.6 Billing and Payment Regulations

3.6.1 Service shall be provided and billed for on a monthly basis. Service shall continue to be provided until the Company's receipt of a request from the Customer for the disconnection of the Service, unless other restrictions apply. Payment is to be made to the address designated on the invoice or such other location as the Company may direct in writing from time to time. In addition to charges for the Company's Service, the Customer shall pay any applicable Federal, state or local use, excise, sales or privileges taxes or assessments such as the Universal Service Fund assessment, resulting from the Services furnished by the Company. Such taxes or assessments shall not be counted toward the attainment of any volume or revenue commitment and will not be discounted.

3.6.2 The Customer is responsible for payment of all charges for Service furnished by the Company. This includes payment for calls or Service:

- A. Originated at the Customer's number(s) whether authorized or not;
- B. Accepted at the Customer's number(s) (e.g. 800/888/877 Service);
- C. Billed to the Customer's number via third number billing, a calling card, a Company-assigned Authorization Code, or other special billing number; or
- D. Incurred at the request of the Customer.

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**3. REGULATIONS (continued)**

**3.6 Billing and Payment Regulations (continued)**

- A. The Company may require a deposit if the customer is unable to establish a good credit rating, or if the customer has undisputed charges in two (2) out of the last twelve (12) billing periods which have become delinquent. The deposit shall not exceed estimated charges for two months service based on the average bill during the preceding twelve months or in the case of new applicants, two months average monthly bill for all subscribers within a customer class. The deposit shall bear interest at a rate of 9% simple interest per annum, and will be returned upon satisfactory payment of all undisputed charges during the last 12 billing periods, or discontinuance of service.
- B. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or service connection charges, which will be applicable to the customer's account on the first bill rendered.

3.6.6 In the event that a check or draft tendered by a customer is returned, a fee of \$10.00 will apply. The fee will be accessed when a check or instrument issued by a Customer is returned without payment for any reason whatsoever, unless the return is bank error, in which case documentary evidence is required to waive the fee.

3.6.7 All stated charges in this tariff are computed by the Company exclusive of any federal, state, or local use, excise, gross receipts, sales, or privilege taxes, duties, fees, or similar liabilities (other than general income or property taxes), including Universal Service Fund assessments, whether

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**3. REGULATIONS (continued)**

**3.6 Billing and Payment Regulations (continued)**

charged to or against the Company or its Customer. Such taxes, fees, etc, shall be paid by the Customer in addition to the charges stated in the tariff. All such taxes, duties and fees shall each be shown as a separate line item on the Customer's monthly invoice. All charges and fees subject to MoPSC jurisdiction, except taxes and franchise fees, will be submitted to the MoPSC for prior approval.

3.6.8 If Customer seeks to have the Company reinstitute Service, Customer shall pay to the Company prior to the time Service is reinstituted (1) all accrued and unpaid charges, and (2) a deposit, as determined by the Company.

3.6.9 The Company reserves the right, under federal law, to backbill for a period of up to two (2) years for an amount equal to the accrued and unpaid charges for use of the Company's Service actually made by Customer.

3.6.10 Customers billed by a Local Exchange Carrier (LEC), Competitive Local Exchange Carrier (CLEC), or other local exchange telephone company, on behalf of the Company, are responsible for any late payment charges imposed by the Local Exchange Carrier, Competitive Local Exchange Carrier, or local exchange telephone company.

**3.7 Credit Allowances**

**3.7.1 Interruption of Service**

A. Credit for failure of Service or equipment will be allowed only when such failure is caused by or occurs in facilities or equipment



**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**3. REGULATIONS (continued)**

**3.8 Equipment (continued)**

- A. The through transmission of signals generated by Customer-provided equipment or for the quality of, or defects in, such transmission;
- B. The reception of signals by Customer-provided equipment; or
- C. Network control signaling where such signaling is performed by Customer-provided network control signaling equipment.

**3.9 Determination and Rendering of Charges**

- 3.9.1 For billing purposes, Service will be deemed to be started on the day the Service and its associated equipment, if any, is installed. Where billing is based upon Customer usage, billing for all usage commences on the date usage begins.
- 3.9.2 Subject to the Company's right to terminate or suspend Service as otherwise provided in this tariff, the minimum service period is thirty (30) days. Termination by the Customer is effective as of the end of the next business day after receiving the Customer's request to cancel Service.
- 3.9.3 All monthly recurring charges are billed one month in advance. Initial and final months billing, when the service period is less than one month, will be prorated one-thirtieth (1/30th) of the month's recurring charge for each day the Service was rendered or equipment was provided.
- 3.9.4 Usage charges are billed monthly for the preceding billing period. For periods less than the monthly billing period, minimum usage charges are

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**3. REGULATIONS (continued)**

**3.10 Dedicated Access and Private Line Services**

3.10.1 Rates for Dedicated Access and Private Line Services will be determined on an Individual Case Basis (ICB). ICB rates will be structured to recover the Company's cost of providing the services and will be made available to customers in a non-discriminatory manner. Terms of the specific ICB contracts will be made available to the Missouri Public service Commission upon request on a proprietary basis.

**3.11 Calculations of Billable Time (Usage Charges)**

3.11.1 Unless otherwise specifically stated in this tariff, all calls, regardless of time period, lasting one (1) minute or a fraction thereof, are subject to a minimum billing increment of one (1) minute. Calls are billed in one (1) minute increments thereafter, with partial minutes rounded up to the next full minute.

3.11.2 Chargeable time begins when the connection is established between the calling station and the called telephone number and ends when the connection is terminated.

3.11.3 In determining usage charges, Peak/Off-Peak/Holiday rate periods, as defined in Section 5.1 of this tariff, apply, unless otherwise indicated, and are based on the time where the call originates. In cases where a call begins in one rate period and continues into another rate period, the rate in effect in each period will apply to the portion of the call occurring within the applicable rate period.

3.11.4 All per-call charges of fractional cents shall be rounded to the next full cent unless otherwise stated.

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**4. SERVICE OFFERINGS (continued)**

**4.3    Inbound (800/888/877) Toll Free Service**

4.3.1    The Company's Inbound (800/888/877) Toll Free Service enables the Customer to receive 800/888/877 service calls at the Customers residence or business. The Service is accessed via 800/888/877 NPA's originating on Feature Group facilities provided by the LEC and terminating on a regular residential or business line. The following regulations apply to all Inbound (800/888/877) Toll Free Service:

- A.        The Company reserves the right to require an applicant for the Company's Inbound 800/888/877 Toll Free Service to supply the following information when requesting service: an initial traffic forecast, identification of anticipated busy hour, identification of its geographical target areas, and a schedule of marketing and promotional activities. The Company also may require that a new traffic forecast be submitted by the Customer quarterly after service is initiated.
- B.        The Company's Inbound 800/888/877 Toll Free Service is furnished upon condition that the Customer contracts for adequate facilities, and must obtain an adequate number of access lines for the Company's Inbound 800/888/877 Toll Free Service, to permit the use of this Service without injurious effect upon it or any Service rendered by the Company, or to prevent interference or impairment of this Service or any other Service provided by the Company, based on (1) total call volume, (2) average call duration, (3) time-of-day characteristics, and (4) peak calling

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**4. SERVICE OFFERINGS (continued)**

4.4.5 The Company will deactivate the Calling Card within twenty-four (24) hours after notification from the Customer. The notification can be in writing to the Company, or by contacting the Company's Customer Business Office.

**4.5 Operator Services**

4.5.1 Operator Service as provided by Company includes live operator and/or automated operator functions, for the purpose of assisting in the processing of telephone services such as: long distance via collect calls, calling card calls, or third-party billed calls. Company operators may be contacted by dialing 0+ the number desired or 0- the number desired. Calls will be billed at Company MTS service rates as set forth in Section 5 plus the appropriate service charges.

4.5.2 In providing operator services, Company agrees that:

- A. Company will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon subscriber notification or carrier's knowledge of the charge(s) for incomplete calls.
- B. Company will advise the caller and billed party (if different from the end user) that Company is the operator service provider at the time of the initial contact.
- C. Company will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.

**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**4. SERVICE OFFERINGS (continued)**

**4.5 Operator Services (continued)**

- D. Company will allow only tariff charges approved by the Commission, or otherwise allowed by law for the provision of operator services, to appear on billings rendered by local exchange companies (LECs) on behalf of carrier and will not collect location surcharges imposed by traffic aggregations.
- E. Company will arrange for listings of its name on a LEC's billing of Company's charges, if the LEC has multi-carrier bill listing capability.
- F. Company will employ reasonable calling card verification procedures which are acceptable to the companies issuing the calling cards which it determines to be invalid or cards which it is unable to verify.
- G. Company will direct all "00-" emergency calls to the local exchange carrier (LEC) at no charge.
- H. Company's contracts with tariff aggregations will contain provisions which:
  - 1. Prohibit the blocking of access to an end user's interexchange carrier of choice;

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**4. SERVICE OFFERINGS (continued)**

**4.5    Operator Services (Continued)**

2.    Provide for the prominent posting or display, on or near the telephones to be utilized by end users, of material setting forth the name of the carrier, complaint procedures, instructions on reaching the LEC operator as well as other interexchange carriers, and procedures for emergency calls.

**4.6    Dedicated Interexchange Digital Private Line Service**

- 4.6.1    Digital transmission facilities between Company service points, when connected with dedicated access to customer locations, allow for communications between locations of the customer or his authorized user. These combined facilities are utilized on a dedicated (non-switch) basis between two or more customer locations, as specified by the customer.

**4.7    Promotions**

Company may, upon Commission approval, offer customers specific rate incentives during specified promotional periods. Company will provide written notice to the Commission at least 7 days prior to the commencement of a promotional program specifying the terms of the promotion, the specific service offered, the location, and the beginning and ending dates of the promotional period.